



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 245** SLS 10RS 787
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: April 14, 2010	2:12 PM	Author: ADLEY
Dept./Agy.: Veterans' Affairs		
Subject: Death and disability benefits		Analyst: Matthew LaBruyere

MILITARY AFFAIRS

EG INCREASE GF EX See Note

Page 1 of 1

Provides for death and disability benefits for Louisiana National Guardsmen activated by the governor or the president. (gov siq)

The proposed legislation retains present law in R.S. 22:941(A)(5) and adds that the period of activation is subsequent to September 11, 2001, for which the governor of the state of Louisiana orders a guardsman into active military duty, the president of the United States orders a guardsman into active military duty or orders a guardsman into federal active duty.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will increase expenditures by a minimum of \$8,000,000 in FY 11. Between the period of September 11, 2001, and July 6, 2007, 32 members of the Louisiana National Guard (LNG) lost their lives during periods of activation by the Governor or President of the United States. The payment of a lump sum of \$250,000 to each guardsman’s beneficiary would cost \$8,000,000 (32 guardsmen x \$250,000 lump sum). There are a number of cases currently being reviewed by the U.S. Department of Veterans Affairs for eligibility of permanent and total disability. To the extent that guardsmen are determined to be permanently and total disabled, the cost of the proposed legislation will increase by \$100,000 per case.

There have been 2 LNG that have been determined to have 100% permanent and total disability by the Louisiana Department of Veterans’ Affairs. The 2 guardsmen were injured prior to July of 2007. The benefits for the guardsmen will be paid with the \$1.45 million appropriated in the August 2009 meeting of the Joint Legislative Committee on the Budget since \$200,000 of that appropriation was unexpended. The benefits were not paid because the 2 LNG thought to be qualified were not eligible under current law since the guardsmen were injured prior to July 2007. Under the proposed legislation, 1 of the guardsmen will not qualify for benefits since his initial rating was not 100% total and permanent disability.

In August 2009, \$1,250,000 (5 guardsmen x \$250,00 lump sum) in death benefits was paid to 5 LNG beneficiaries. Since this initial expenditure, there have been no further payments of \$250,000 for death benefits.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.